

HOUSE BILL 2874

By Moore

AN ACT to amend Tennessee Code Annotated, Title 2;
Title 8 and Title 49, relative to election officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-1-112, is amended by deleting subsection (a) and substituting instead the following:

(a)

(1) Neither an elected official nor an employee of a state, county, municipal or federal governmental body or agency or of an elected official may serve as a member of a county election commission or as a member of a county primary board.

(2) Neither an elected official nor an employee of a county, municipal or federal governmental body or agency or of an elected official may serve as an election official. Any state employee who is classified as a career service employee may serve as an election official. Any state employee other than a career service employee, including but not limited to executive service employees, cabinet members, and cabinet level staff may not serve as an election official.

(3) No candidate in an election may act in connection with that election as a member of any board or commission established under this title or as an election official.

SECTION 2. Tennessee Code Annotated, Title 8, Chapter 50, Part 8, is amended by adding the following as a new section thereto:

8-50-813.

(a) A state employee allowed to serve as an election official pursuant to § 2-1-112 may be granted leave from work with pay for a period not to exceed two (2) work days in each year in order to serve as an election official. The employee shall be released from work for this function upon approval of that employee's appointing authority. The appointing authority may request that the employee provide documentation from the appropriate county election commission that the employee will be serving as an election official.

(b) The appointing authority shall compensate an employee granted extra leave under this section at the employee's regular rate of pay for those regular work hours during which the employee is absent from the employee's work. This leave shall not affect the employee's regular leave status. If the employee is granted extra leave under this section, such employee shall not be eligible for compensation from the county election commission or the state for serving as an election official.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section thereto:

49-7-142.

All state colleges and universities shall develop a program allowing students, who are otherwise eligible under state law, to serve as election officials during primary and general elections in this state for credit hours applicable towards a degree. Such program shall allow excused absences if the student will miss classes while working at the polls as an election official. Any student receiving credit hours under this section shall not be eligible for compensation from the county election commission or the state for serving as an election official.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

